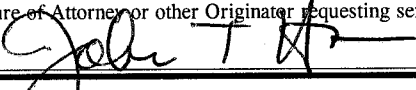
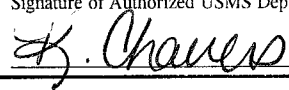
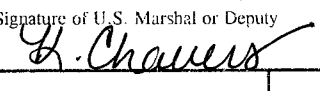


U.S. Department of Justice  
United States Marshals Service

## PROCESS RECEIPT AND RETURN

See Instructions for "Service of Process by the U.S. Marshal"  
on the reverse of this form

PLAINTIFF <b>WILLIE C. MOODY</b>		COURT CASE NUMBER 2:07CV485-WHA	
DEFENDANT <b>UNITED STATES OF AMERICA</b>		TYPE OF PROCESS ORDER OF DISMISSAL	
<b>SERVE AT</b>	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN \$44,040.00 IN UNITED STATES CURRENCY		
	ADDRESS (Street or RFD, Apartment No., City, State, and ZIP Code) c/o UNITED STATES MARSHALS SERVICE		
SEND NOTICE OF SERVICE TO REQUESTER AT NAME AND ADDRESS BELOW:		Number of process to be served with this Form - 285	1
John T. Harmon United States Attorney's Office Assistant United States Attorney Post Office Box 197 Montgomery, Alabama 36101-0197		Number of parties to be served in this case	
		Check for service on U.S.A.	
SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Address, All Telephone Numbers, and Estimated Times Available For Service)			
CATS # 05-FBI-003416			
Signature of Attorney or other Originator requesting service on behalf of: 		<input checked="" type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER (334) 223-7280
			DATE 09/25/07
SPACE BELOW FOR USE OF U.S. MARSHAL ONLY - DO NOT WRITE BELOW THIS LINE			
I acknowledge receipt for the total number of process indicated. (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process No. _____	District of Origin No. <u>2</u>	District to Serve No. <u>3</u>
		Signature of Authorized USMS Deputy or Clerk 	Date 9/26/07
I hereby certify and return that I <input type="checkbox"/> have personally served, <input checked="" type="checkbox"/> have legal evidence of service, <input type="checkbox"/> have executed as shown in "Remarks", the process described on the individual, company, corporation, etc. at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.			
<input type="checkbox"/> I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below).			
Name and title of individual served (If not shown above).		<input type="checkbox"/> A person of suitable age and discretion then residing in the defendant's usual place of abode.	
Address (complete only if different than shown above)		Date of Service 10/19/07	Time am pm
		Signature of U.S. Marshal or Deputy 	
Service Fee 45.00	Total Mileage Charges (including endeavors)	Forwarding Fee 8.00	Total Charges 53.00
		Advance Deposits	Amount Owed to US Marshal or Amount or Refund

REMARKS: 10/9/07 FWD to SIAL for service. (MIAL case - funds in SIAL)  
10/19/07 SIAL disbursed funds to Attorney Jeffrey Duffey  
RETURNED AND FILED

DEC 10 2007

PRIOR EDITIONS MAY  
BE USED

FORM USM 285 (Rev. 12/15/80)  
CLERK  
U. S. DISTRICT COURT  
MIDDLE DIST. OF ALA.

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

WILLIE C. MOODY,

Plaintiff,

vs.

UNITED STATES OF AMERICA,

Defendant.

CIVIL ACTION NO. 2:07cv485-WHA

**ORDER**

Upon consideration of the Joint Motion to Dismiss (Doc. #13), filed by the parties on September 24, 2007, and for good cause shown, it is hereby

ORDERED that this case is DISMISSED with prejudice, the parties to bear their own costs.

DONE this 24th day of September, 2007.

/s/ W. Harold Albritton

W. HAROLD ALBRITTON

SENIOR UNITED STATES DISTRICT JUDGE

OCT 15 '07 AM 11:49 USMS SAL

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

RECEIVED

2007 SEP 24 P 3: 54

WILLIE C. MOODY,

Plaintiff,

V.

UNITED STATES OF AMERICA

Defendant.

UNITED STATES  
MARSHALS SERVICE  
MIDDLE ALABAMA

) Civil Action No.2:07-CV-485-WHA

### STIPULATION FOR COMPROMISE SETTLEMENT

It is hereby stipulated by and between the United States of America, by and through Leura G. Canary, United States Attorney, Middle District of Alabama, and Plaintiff Willie C. Moody, by and through his respective attorney, as follows:

1. The parties do hereby agree to settle and compromise the above-entitled action upon the terms indicated below.

2. Plaintiff consents to dismiss this pending case without prejudice upon return of the subject cash below. Plaintiff further agrees that the United States will not be required to file an Answer in the above styled action.

3. The United States consents to return the seized \$44,040 to Willie C. Moody through his attorney Jeffery C. Duffey, Esquire.

4. Plaintiff releases the United States; the State of Alabama; and all entities and authorities established within

the State of Alabama (including but not limited to the City of Montgomery, Alabama) and the agents, employees, assigns, and servants of the above described governments, entities and authorities, from any and all actions, causes of action, suits, proceedings, debts, dues, contracts, judgements, damages, claims, and/or demands whatsoever in law or equity which Plaintiff, Plaintiff's heirs, successors, or assigns ever had, now have, or may have in the future in connection with the seizure, detention, and attempted forfeiture of the \$44,040 in United States currency. The Plaintiff expressly waives the recovery of attorney's fees, costs and expenses by any legal action or by any act or law of the United States of America, including but not limited to Title 28, *United States Code*, Section 2412. This express waiver in no way limits the general release and waiver contained herein. Provided, however, that this paragraph shall not apply and shall not have any force or effect or limitations on the Plaintiff regarding any matters arising out of the action pending in the Circuit Court of Montgomery County, Alabama styled Willie C. Moody, Plaintiff v. City of Montgomery, Defendant, Case No. CC-2007-901.

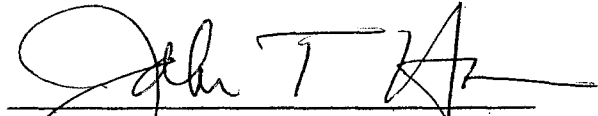
5. The parties agree that this is a compromise settlement of disputed claims and that by entering into this settlement, neither party admits wrongdoing or liability on

any basis.

6. Each party will bear its own costs.

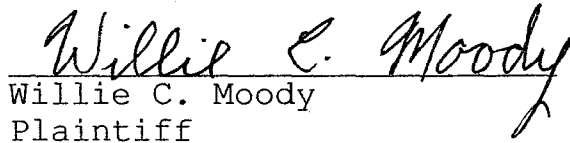
FOR THE UNITED STATES ATTORNEY  
LEURA G. CANARY

Date: 9-24-07



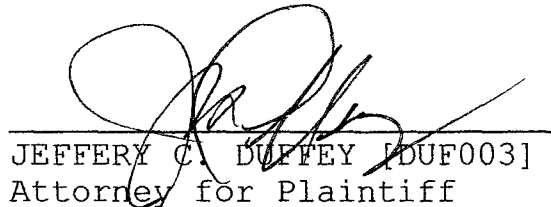
JOHN T. HARMON [HAR108]  
Assistant United States Attorney  
Attorney for Defendant  
United States of America

Date: 9-19-07



Willie C. Moody  
Plaintiff

Date: 9-19-07



JEFFERY C. DUFFEY [DUF003]  
Attorney for Plaintiff

Address of Counsel:

For the United States:

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Middle District of Alabama  
131 Clayton Street  
Post Office Box 197  
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Facsimile: (334)-223-7560  
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For Plaintiff:

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600 South McDonough Street  
Montgomery, Alabama 36104  
Telephone: (334)-834-4100  
Facsimile: (334)-834-4101  
E-mail: [jcduffey@aol.com](mailto:jcduffey@aol.com)